

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:07CR140-P-B

**JOSE SANTOS GONZALES AND
TARRASCO STEEL COMPANY, INC.,**

DEFENDANTS.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendants' eighth motion for continuance [78].

After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for September 8, 2008. Defense counsel requests additional time to finish negotiations for a Plea Agreement. Defense counsel states that he anticipates that "a Plea Agreement will be reached between the parties in the foreseeable future."

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from September 8, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendants' Motion for Continuance [78] is **GRANTED**;
- (2) Trial of this matter is continued **as to both defendants** until Monday, October 20, 2008

at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

- (3) The delay from September 8, 2008 to October 20, 2008 is excluded from Speedy Trial Act considerations as set out above;
- (4) The deadline for filing pretrial motions is September 29, 2008;
- (5) The deadline for submitting a plea agreement is October 6, 2008; and
- (6) Because this is the eighth continuance in this matter, the court will be very reluctant to grant any further continuances.

SO ORDERED this the 19th day of August, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE